

REMARKS

Claims 16-35 are now pending in the application. The following remarks are believed to be fully responsive to the outstanding Office Action and are believed to place the application in condition for allowance.

The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102

Claims 16-25 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Ryan (U.S. Pat. No. 5,788,330). This rejection is respectfully traversed.

Independent Claims 16, 21, and 29 each call for a "shaft rotatably supported within a first slot" of a support member. Additionally, each of independent Claims 16, 21, and 29 call for a blocking pin slidably supported by a support member and in mechanical communication with the shaft to selectively prevent rotational movement of an arm relative to the support member. See Specification at pg. 8, Ins. 9-25. Furthermore, independent Claim 29 calls for an electric motor for rotating the shaft to cause the arm to rotate relative to the support member. See Specification at pg. 8, Ins. 9-14. In this manner, the present invention discloses a shaft (56) in mechanical communication with a blocking pin (70), whereby rotation of the shaft causes the blocking pin to slide in a downward direction relative to a support bracket (12). Sufficient movement of the blocking pin relative to the support bracket will permit rotational movement of an arm or quadrant (18), thereby allowing a seat back (104) to

be rotated relative to a seat (102). See Specification at pg. 8, Ins. 15-23, pg. 10, Ins. 3-8, and Figures 4 and 5.

Ryan fails to disclose such a relationship. Rather, Ryan teaches a seat hinge assembly (10) adapted for incorporation into a seat assembly (12), whereby the seat hinge assembly is operable to selectively permit rotation of a seat back (16) relative to a seat bottom (14). See Ryan at Col. 3, Ins. 17-21. Specifically, a lower hinge member (18) is fixed to the seat bottom and an upper hinge member (20) is fixed to the seat back, whereby the upper hinge member is rotatable relative to the lower hinge member. See Ryan at Col. 3, Ins. 37-41. The seat hinge assembly includes a latching mechanism (24) operable to selectively permit the seat back to rotate relative to the seat bottom. The latching mechanism includes a locking pawl (32) having a rack of teeth (36) operable to engage a plurality of teeth (42) formed on the upper hinge member to selectively lock the upper hinge member relative to the lower hinge member. See Ryan at Col. 4, Ins. 13-25. The locking pawl is toggled between an engaged position and a disengaged position through manipulation of a connecting handle (60). See Ryan at Col. 5, Ins. 21-56. In this manner, Ryan fails to disclose a blocking pin slidably supported by a lower support member to selectively prevent rotation of an upper support member relative to a lower support member. Additionally, Ryan fails to disclose a shaft in mechanical communication with a blocking pin, or a shaft rotatably supported by a lower support member to slidably position the blocking pin to selectively prevent rotation of the upper support member.

In addition, Applicant notes that Ryan fails to teach or suggest using an electric motor to rotate a shaft. Furthermore, Ryan fails to disclose that such rotation selectively

permits rotation of an upper support member relative to a lower support member through manipulation of a blocking pin. In this regard, Ryan fails to teach each and every element of the present invention.

Because Ryan fails to teach a shaft rotatably supported within a first slot of a support member, and further because Ryan fails to teach a blocking pin slidably supported by a support member and in mechanical communication with the shaft to selectively prevent rotational movement of an arm relative to the support member, Applicant respectfully submits that Ryan fails to teach each and every element of the present invention. In this manner, Applicant respectfully submits that Claims 16, 21, and 29, and Claims 17-20, 22-28, and 30-35, respectively dependent therefrom, are in a condition for allowance in light of the art of record. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 26-27 and 29-35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ryan (U.S. Pat. No. 5,788,330) in view of Weston et al. (U.S. Pat. No. 4,402,547). This rejection is respectfully traversed.

Independent Claims 21 and 29 are believed to be in condition for allowance in light of the remarks contained above. Because Claims 26-27 and 30-35 respectively depend from independent Claims 21 and 29, dependent Claims 26-27 and 30-35 should similarly be in a condition for allowance for at least the same reasons. Therefore, reconsideration and withdrawal of the rejection is respectfully requested.

ALLOWABLE SUBJECT MATTER

The Examiner has noted that Claim 28 contains allowable subject matter and would be allowable if rewritten to include the limitations of the base claim and any intervening claims. Applicant notes that Claim 28 has not been amended herein to include the limitations of the base claim. Applicant respectfully asserts that independent Claim 21 and Claim 28, dependent therefrom, are in a condition for allowance as filed.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

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